

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CARL WILSON,

Plaintiff,

vs.

T.J. COLLINS and JOE STEINHAUER,

Defendants.

Case No. 03-CV-317-DRH

ORDER

HERNDON, District Judge:

The Court notes that in its Order (Doc. 6) issued on July 29, 2004, in this matter, it stated that “[s]ervice shall not be made on the Unknown (John Doe) Defendants until such time as Plaintiff has identified them by name on a USM-285 form and in a properly filed amended complaint. Plaintiff is ADVISED that it is Plaintiff’s responsibility to provide the Court with the names and service addresses for these individuals” (*Id.* at p. 3).

Nearly two years have passed since this Order. There has been a Report and Recommendation (“R&R”) (Doc. 45) issued, recommending that the named Defendants’ Motion for Summary Judgment (Doc. 32) be granted in favor of Defendants. Plaintiff has since requested and been granted an extension of time to file written objections to the R&R. In other words, this case has continued

to move forward, yet Plaintiff has not made further effort to identify the unnamed defendants in filing an amended complaint.

Therefore, in order to encourage diligent prosecution of this case, Plaintiff has **twenty (20) days** from the date of this Order to file his amended complaint, naming the previously unnamed defendants. If Plaintiff chooses not to do so within the time frame prescribed, his claims against these unnamed defendants shall be dismissed with prejudice by the Court.

IT IS SO ORDERED.

Signed this 6th day of July, 2006.

/s/ David RHerndon
United States District Judge